

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

THE UNITED STATES OF AMERICA,  
ex rel. MELISSA RUSHING

PLAINTIFFS

v.

Civil No. 1:20cv210-SA-DAS

CHRISTOPHER PAUL LICK;  
GTR HOLDINGS, LLC;  
GRASSROOTS A NATURAL COMPANY LLC;  
ASPEN RIVER CANDLE COMPANY LLC; AND  
ASPEN LAKE ONLINE LLC

DEFENDANTS

**UNITED STATES' RESPONSE TO  
MOTION FOR STATUS CONFERENCE**

In response to the Motion for Status Conference [Dkt. 43] filed by the Relator, Melissa Rushing, the United States of America states as follows:

1. The United States admits the allegations contained within Paragraph 1.
2. The United States admits the allegations contained within Paragraph 2.
3. The United States denies the allegations contained within Paragraph 3. The agreement contemplated the payment of fifteen percent (15%) of all monies collected from the **default judgment** plus applicable accrued interest in the matter of *United State of America ex rel. Christopher Paul Lick et al.*, Civil Action No. 1:20-cv-210-SA-DAS. Given that the collection on the default judgment was unlikely due to the status of the defendants against whom the default judgment was entered, the United States petitioned the Court for a finding that the United States pursued an alternate remedy via criminal forfeiture to allow the fifteen percent (15%) share to be paid from the realized proceeds of the criminal forfeiture proceeding. [Dkt. 38].

4. The United States admits the allegations contained within Paragraph 4.

5. The United States admits the allegations contained within Paragraph 5. Specifically, Relator, Melissa Rushing, received \$208,666.31 on or about May 19, 2024, which sum represents fifteen (15%) of the total recovery to date realized by the United States from assets forfeited from Christopher Lick. Additionally, Rushing has not received a portion of funds from the sale of 982 S. Ridge Rd. because, to date, no funds have been realized by the United States with respect to the property.

6. The United States denies the allegations contained within Paragraph 6. The United States offers the following in response to the allegations made in Paragraph 6:

In accordance with Mississippi state law, a lien for 2020 ad valorem real property taxes arose in favor of Oktibbeha County, MS and against the real property identified as 982 S. Ridge Road, Starkville, MS 39759 on January 1, 2020, with said taxes being due and payable by February 1, 2021. Christopher Lick, through GTR Holdings, LLC, acquired 982 S. Ridge Road by Warranty Deed dated May 27, 2020, and filed of record on May 28, 2020. Lick utilized fraudulently obtained PPP funds to purchase 982 S. Ridge Road. As such, any interest or lien of the United States in 982 S. Ridge Road would have arisen in May 2020, when Lick purchased the property, and would have been subject to any superior interest in existence at the time of purchase (i.e. the 2020 lien for ad valorem property taxes that attached to the property on January 1, 2020).

Lick did not pay the 2020 ad valorem property taxes by February 1, 2021. On August 30, 2021, according to Mississippi law, the Chancery Clerk of Oktibbeha County, MS, sold 982

S. Ridge Road for unpaid taxes in the amount of \$10,814.16 to the highest bidder, Tax Brake MS LLC. See Movant's Exhibit A, pg. 2. Lick was indicted on May 7, 2021, and subsequently pled guilty to wire fraud. A Judgment in a Criminal Case, with reference to a Final Order of Forfeiture that included 982 S. Ridge Rd., was entered on August 15, 2022. A Notice of Lien for Fine and/or Restitution was filed against Christopher Lick on January 30, 2023.

On December 27, 2023, Tax Brake MS LLC was granted a Clerk's Conveyance of Land Sold for Taxes by Sharon Livingston, Chancery Clerk of Oktibbeha, MS. See Movant's Exhibit A, pg. 2. On January 23, 2024, Tax Brake MS LLC executed a Quitclaim Deed and Assignment to West Palmetto Holdings, LLC, the current record title holder of 982 S. Ridge Rd. As such, the United States does not possess the legal right to take possession of and liquidate 982 S. Ridge Rd. at the current time.

The United States has been engaged, and continues to engage, in negotiations with West Palmetto Holdings, LLC, to determine the status of the interest of the United States, if any, in 982 S. Ridge Rd. and the possibility of a reasonable resolution of any competing claims. To the extent that the United States realizes any proceeds from 982 S. Ridge Rd., it recognizes that its previous agreement with the Relator, Melissa Rushing, and the Order of this Court provide for Ms. Rushing to receive a fifteen (15%) share of all proceeds realized.

7. The United States denies that a status conference is warranted in this matter. To the extent that Rushing suggests that the United States has violated some clearly established right of Rushing or has violated the terms of the agreement, or this Court's Order, the United States denies such allegations. The United States will continue to attempt to maximize the potential recovery from the liquidation of 982 S. Ridge Rd. If proceeds are realized, the United States

will continue to comply with the agreement and order.

Neither the agreement executed by the parties, nor the Order of this Court, provide for the payment to Rushing of any amount certain. Rather, it provides for the payment of a percentage of any amount realized by the United States. As such, Rushing has a derivative right to collect a fifteen percent (15%) share of the proceeds realized from the liquidation of Christopher Lick's assets, whatever that amount may ultimately be. The derivative right to share in the proceeds does not equate to a right for Rushing to direct or participate in the criminal forfeiture litigation. Indeed, the criminal forfeiture proceeding is not a part of this case as it is part of the separate criminal case against Christopher Lick, a case not before this Court.

WHEREFORE, PREMISES CONSIDERED, the United States respectfully requests that the Motion for Status Conference [Dkt. 43] be denied.

Clay Joyner  
United States Attorney

By: /s/ Samuel D. Wright  
Samuel D. Wright (MSB #101425)  
Assistant United States Attorney  
900 Jefferson Avenue  
Oxford, Mississippi 38655-3608  
t: 662.234.3351  
e: [samuel.wright@usdoj.gov](mailto:samuel.wright@usdoj.gov)

CERTIFICATE OF SERVICE

I, Samuel D. Wright, Assistant United States Attorney for the Northern District of Mississippi, hereby certify that I electronically filed the foregoing United States' Response to Motion for Status Conference with the Clerk of the Court using the ECF system which sent notification of such filing to:

- **Connie Marie Smith**  
connie@conniesmithlaw.com
- **Joseph Harland Webster**  
joseph.webster@usdoj.gov,usamsn.ecf@usdoj.gov,buffy.hipp@usdoj.gov,elizabeth.brown@usdoj.gov,caseview.ecf@usdoj.gov,regina.garrett@usdoj.gov

This the 30th day of July, 2024.

/s/ SAMUEL D. WRIGHT  
SAMUEL D. WRIGHT  
Assistant United States Attorney